



Department of Public Safety and Corrections

Public Safety Services

Bobby Jindal
GOVERNOR

Michael D. Edmonson, Colonel
DEPUTY SECRETARY, PUBLIC SAFETY SERVICES
SUPERINTENDENT, OFFICE OF STATE POLICE

Rear Admiral Mary Landry, USCG
Federal On-Scene Coordinator
Commander
Eighth Coast Guard District
Hale Boggs Federal Building
500 Poydras Street
New Orleans, LA 70130



May 11, 2010

Dear Admiral Landry:

The State of Louisiana has a working coast that has a large number of off shore structures in its coastal waters that are actively engaged in the exploration and production of oil and gas. There is a potential for a public safety hazard should released oil reach these structures. Also, many of these facilities are staffed with personnel who could potentially be placed in jeopardy should conditions allow fugitive oil to accumulate in any quantity near these facilities. The Deepwater Horizon incident presents a serious problem in this regard that needs to be addressed. Facilities in danger of being impacted need to be monitored to make sure that all necessary steps are taken for the safety to the public, safety of the structures, safety of the people on these facilities, and for protection of the environment. The execution of solutions to this serious problem is complicated by the large number of state and federal agencies involved, each of whom possess independent and in some cases overlapping regulatory authority.

There are several federal agencies involved in the response to the Deepwater Horizon incident, including but not limited to: the Coast Guard, NOAA, USEPA, the U.S. Fish and Wildlife Service, the National Park Service, Minerals Management Service, the Department of Homeland Security, the Department of the Interior, the Department of Defense, and the Department of State. Each of these agencies has a different mission, with different sources of legal authority to act, such as the Oil Pollution Act of 1990 (OPA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Clean Air Act, the Clean Water Act, Occupational Safety and Health Act (OSHA), National Environmental Policy Act (NEPA), and others. Like the federal government, there are several Louisiana agencies with legal responsibility and authority to act, including but not limited to the Department of Public Safety & Corrections- Public Safety Services, the Department of Environmental Quality, the Louisiana Oil Spill Coordinator's Office, and the Department of Natural Resources.

The Federal on Scene Coordinator (FOSC) has responsibility for unifying the efforts of government and for ensuring that the pool of information that comes in is circulated to the proper responsible agencies, and that organized coordinated response is taken to make maximum effective use of the available resources to address the problem.

We hope to avoid a situation where each agency with authority and responsibility will independently review the situation and take independent action, without coordination with other agencies, resulting in onerous, inconsistent, or even impossible demands upon the regulated community engaged in producing needed energy in the Gulf of Mexico. We trust that through the incident command system, the decisions that will affect the energy, environmental and public safety interests in the Gulf Coast will be made after careful consideration through the proper chain of command within the incident command system.

Toward this end we urge the FOSC to coordinate the evaluation of these conditions and make the final decision on the operation of the offshore facilities. It is anticipated that through incident command, appropriate information will be gathered and will be circulated among the agencies with expertise in these subjects who would provide feedback regarding any concerns that may arise as intelligence on the incident is developed. We ask that updated maps and data on the location and estimated concentrations and/or volume of released oil and its proximity to oil and gas facilities be circulated and a monitoring plan be developed through incident command designed to protect the oil and gas facilities and the environment and to ensure the safety of all involved. We also ask that this plan be implemented by field operations as part of the operational plan developed within the incident command process.

We stand ready to do our part to assist you in ensuring that these issues are adequately addressed.

Sincerely,

Roland Guidry

Roland Guidry, State on Scene Coordinator
Louisiana Oil Spill Coordinator's Office

CC: Governor Bobby Jindal
Attorney General Buddy Caldwell, Department of Justice
Stephen Waguespack, Executive Counsel, Office of the Governor
Robert Barham, Secretary, Department of Natural Resources
Peggy Hatch, Secretary, Department of Environmental Quality
Col. Michael D. Edmonson, Deputy Secretary, Department of Public Safety & Corrections,
Public Safety Services
Mark Cooper, Director, Governor's Office of Homeland Security
Lt. Commander Dan Lauer – State EOC LNO, 8th Coast Guard District